

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 950427- A

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS:

TRACT 1: 16.01 ACRE TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19, FROM "MH" MOBILE HOME RESIDENCE DISTRICT TO "LI-CO" LIMITED INDUSTRIAL SERVICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 2: 3.02 ACRE TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19, FROM "MH" MOBILE HOME RESIDENCE DISTRICT TO "LI-CO" LIMITED INDUSTRIAL SERVICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT,

LOCALLY KNOWN AS 8307 BAGBY DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on all of the property described in File C14-94-0133, as follows:

Tract 1: From "MH" Mobile Home Residence district to "LI-CO" Limited Industrial Service district-Conditional Overlay combining district.

16.01 acre tract of land out of the James Burleson Survey No. 19, said 16.01 acre tract of land being more particularly described by metes and bounds as "Tract A" in "Exhibit A" attached and incorporated herein for all purposes.

Tract 2: From "MH" Mobile Home Residence district to "LI-CO" Limited Industrial Service district-Conditional Overlay combining district.

3.02 acre tract of land out of the James Burleson Survey No. 19, said 3.02 acre tract of land being more particularly described by metes and bounds as "Tract B" in "Exhibit A" attached and incorporated herein for all purposes.

[hereinafter referred to as the "Property"]

locally known as 8307 Bagby Drive, in the City of Austin, Travis County, Texas.

PART 2. That the Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. Owner shall maintain a natural buffer zone on that portion of Tract 1, consisting of approximately 2.73 acre of land, being more particularly described by metes and bounds in "Exhibit B" attached to this ordinance. Except for improvements relating to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin, no development shall be permitted within the natural buffer zone referenced in this ordinance.
2. Hazardous materials requiring a permit under Chapter 13-8, Article VII, Section 4.108(g), of the Land Development Code, or as amended from time to time, shall be prohibited on the Property.

CITY OF AUSTIN, TEXAS

Except as specifically restricted by this ordinance, the property may be developed and used in accordance with regulations established for the respective base districts and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

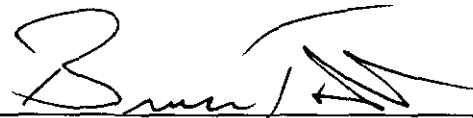
PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

April 27, 1995

§
§
§
§



Bruce Todd
Mayor

APPROVED: Andrew Martin
Andrew Martin
City Attorney

ATTEST: James E. Aldridge
James E. Aldridge
City Clerk

27Apr95
ME/jj

EXHIBIT A
METES AND BOUNDS DESCRIPTION
(FIELD NOTES)

BEING PART OF THE JAMES BURLESON SURVEY NO. 19, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO HIDDEN VALLEY LTD. RECORDED IN VOLUME 8054, PAGE 741 OF THE TRAVIS COUNTY REAL PROPERTY RECORDS, BEING DESCRIBED HEREIN AS TRACTS A AND B BY METES AND BOUNDS AS FOLLOWS:

TRACT A

BEGINNING for reference at a 1/2" rebar found in the northwest R.O.W. line of Decker Lane (F.M. Highway 3177) at the northeast corner of said Hidden Valley Ltd., tract of land, also the southeast corner of the Elsie West 5.00 acre tract of land described in Volume 10056, Page 976 of the Travis County Real Property Records;

THENCE with the common line between the West and Hidden Valley Ltd., tract of land N 58° 05' 05" W 1086.14 feet to a 60-D nail found at the southwest corner of said Elsie West 5.00 acre tract of land, also the southeast corner of that certain 54.14 acre tract of land, described in a deed to Floyd Inks, Jr., ET. AL. recorded in Volume 12092, Page 609 of the Travis County Real Property Records;

THENCE with the common line between Hidden Valley, Ltd. and the Inks, N 57° 40' 13" W 600.00 feet to a 1/2" rebar set for the northeast corner and the PLACE OF BEGINNING hereof;

THENCE with the existing City Limit line, S 38° 13' 26" W 1454.27 feet to a 1/2" rebar set in the northeast line of Hidden West Boulevard (80 foot private drive) for the southeast corner hereof;

THENCE with the northeast line of Hidden West Boulevard, N 58° 22' 02" W 660.55 feet to a 1/2" rebar found for the southwest corner hereof;

THENCE N 31° 39' 32" E 411.25 feet to a 1/2" rebar set for the most westerly corner hereof;

THENCE with the southeast line of a 30 foot gas pipe line easement as described in Volume 3814, Page 1231 of the Travis County Real Property Records (the center line thereof as evidenced by sign-posts) N 66° 51' 45" E 1266.56 feet to a 1/2" rebar set for the northwest corner hereof;

THENCE with the common line between Hidden Valley Ltd., and said Inks tract of land, S 57° 40' 12" E 96.68 feet to the PLACE OF BEGINNING and containing 16.01 acres of land, more or less;

TRACT B

BEGINNING for reference at a 1/2" rebar set at the southeast corner of the above described tract A;

THENCE crossing Hidden West Boulevard, S 38° 13' 26" W 80.53 feet to a 1/2" rebar set for the northeast corner and the PLACE OF BEGINNING hereof;

THENCE with the existing City Limit line, S 38° 13' 26" W 207.33 feet to a 1/2" rebar set for the southeast corner hereof;

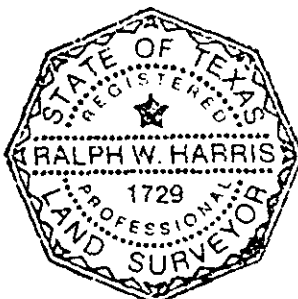
THENCE N 58° 20' 28" W 627.64 feet to a 1/2" rebar set for the southwest corner hereof;

THENCE N 31° 39' 32" E 205.67 feet to a 1/2" rebar set for the northwest corner hereof;

THENCE with the southwest line of Hidden West Boulevard, S 58° 22' 02" E 651.35 feet to the PLACE OF BEGINNING and containing 3.02 acres of land, more or less.

NOTE: See survey map prepared August 26, 1994 to accompany this metes and bounds description.

AS SURVEYED BY:
RALPH HARRIS SURVEYORS, INC.
1406 HETHER
AUSTIN, TEXAS 78704



Ralph W. Harris
RALPH W. HARRIS
R.P.L.S. NO. 1729
AUGUST 26, 1994
PB:B:6:23106

**SKETCH TO ACCOMPANY
METES AND BOUNDS
FOR ZONING CHANGE**

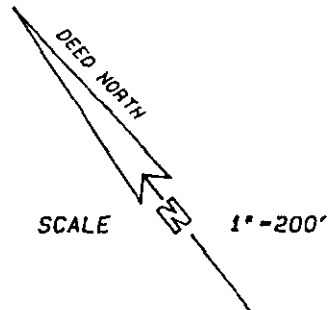
FLOYD INKS, JR. ET. AL.
54.14 AC.
V. 12092, P. 609

ELSIE WEST 5 AC.
V. 10056, P. 976

DECKER LANE
(F.M. 3177)

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR SET
- ▲ 60-D NAIL FOUND



**TRACT A
16.01 AC.**

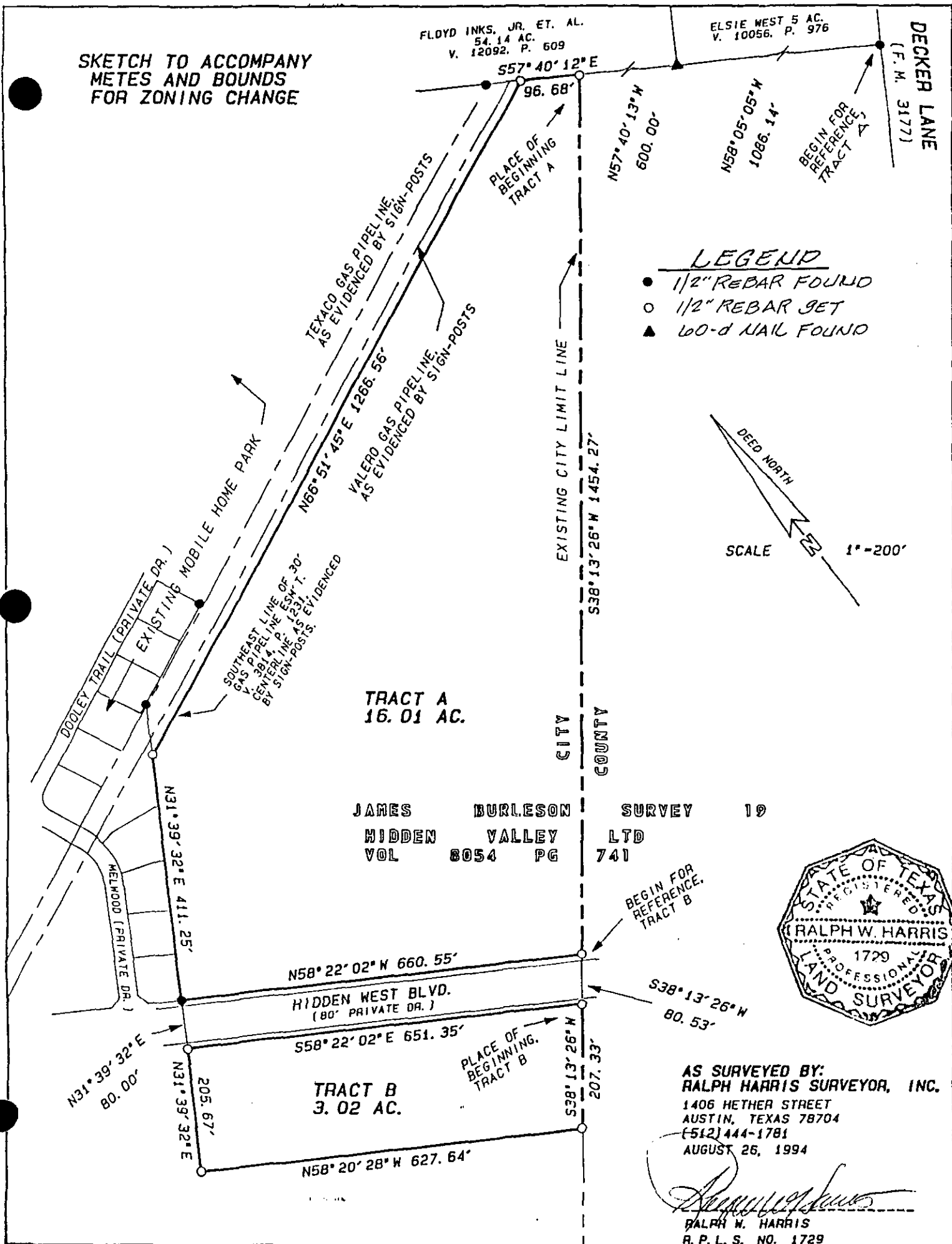
JAMES BURLESON SURVEY 19
HIDDEN VALLEY LTD
VOL 8054 PG 741

**TRACT B
3.02 AC.**

AS SURVEYED BY:
RALPH HARRIS SURVEYOR, INC.
1406 HETHER STREET
AUSTIN, TEXAS 78704
(512) 444-1781
AUGUST 26, 1994



RALPH W. HARRIS
R.P.L.S. NO. 1729



METES AND BOUNDS DESCRIPTION

BEING PART OF THE JAMES BURLESON SURVEY NO. 19, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO HIDDEN VALLEY LTD. RECORDED IN VOLUME 8054, PAGE 741 OF THE TRAVIS COUNTY REAL PROPERTY RECORDS, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" rebar found in the northwest R.O.W. line of Decker Lane (F.M. Highway 3177) at the northeast corner of said Hidden Valley Ltd. tract of land, also the southeast corner of the Elsie West 5.00 acre tract of land described in Volume 10056, Page 976 of the Travis County Real Property Records;

THENCE with the common line between the Elsie West and Hidden Valley Ltd. tracts of land, N 58° 05' 05" W 1086.14 feet to a 60-D nail found at the southwest corner of said Elsie West 5.00 acre tract of land, being also the southeast corner of that certain 54.14 acre tract of land, described in a deed to Floyd Inks, Jr., et. al. recorded in Volume 12092, Page 609 of the Travis County Real Property Records;

THENCE with the common line between Hidden Valley, Ltd. and Inks tracts of land, N 57° 40' 13" W 696.68 feet to a 1/2" rebar found, said rebar being in the southeast line of a 30' gas pipe line easement (centerline hereof as evidenced by sign posts) as recorded in Volume 3814, Page 1231, of the Real Property Records of Travis County, Texas;

THENCE with the southeast line of said easement, S 66° 51' 45" W 716.56 feet to a point for the northeast corner and PLACE OF BEGINNING hereof;

THENCE departing said easement, S 00° 43' 45" W 150.00 feet to a point for the southeast corner hereof;

THENCE S 52° 43' 56" W 484.38 feet to a point for the most southerly southwest corner hereof;

THENCE N 58° 20' 28" W 200.00 feet to a point for an inside corner hereof;

THENCE S 31° 39' 32" W 280.00 feet to a point in the northeasterly R.O.W. line of the Hidden West Boulevard (80 foot private drive) for the most westerly southwest corner hereof;

THENCE with the northeasterly R. O. W. line of Hidden West Boulevard, N 58° 22' 02" W 20.00 feet to a 1/2" rebar found for the most westerly northwest corner hereof;

THENCE N 31° 39' 32" E 411.25 feet to a 1/2" rebar found in the southwest line of the above described gas pipe line easement for the most northerly northwest corner hereof;

THENCE with the southeast line of said easement, N 66° 51' 45" E 550.00 feet to the PLACE OF BEGINNING and containing 2.73 acres of land, more or less.

Prepared from records
PB:B:6:23106B

**SKETCH TO ACCOMPANY
METES AND BOUNDS**

FLOYD INKS, JR. ET. AL.
84.14 AC.
V. 12082. P. 609

ELSIK WEST 5 AC.
V. 10058. P. 978

DECKER LANE
31771

(F. M. 3177)

**BEGIN FOR
REFERENCE.**

1086.145
N58.05.05N

N57° 40' 13" N
600.00'

PLACE U
BEGINNING
TRACT A

55800
117.81

CT 3
RACED GAS PIPELINE
AS EVIDENCED BY SIGN-POSTS
709.46'
2.99 AC.
716.58'

VALERO GAS PIPELINE.
AS EVIDENCED BY SIGN-POSTS

30°43'45"N
150.00'

LINE OF 30-
P. 1231.
ASS. EVIDENCED

TRACT A
16.01 AC.

JAMES
HIDDEN
VOL

BURLESON
VALLEY
054 PG

SURVEY 19
LTD
01

BEGIN FOR
REFERENCE.
TRACT B

538° 13' 26" N
80. 53'

PLACE OF
BEGINNING.
TRACT B

TRACT B
3.02 AC.

TRACT 1: $\frac{1.85}{N 58^{\circ} 20' 28'' N 686.75'}$

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR SET
- ▲ 60-D NAIL FOUND

DEED NORTH

SCALE *N* 1" = 200'

CITY	EXISTING CITY LIMIT LINE
COUNTY	S38°13'26"W 1454.27'

PLACE OF
BEGINNING.
TRACT B

PO#: 950427-A

Ad ID#: 5AM000900

Acct #: 4992499

Austin American-Statesman

Acct. Name: City Clerk

AFFIDAVIT OF PUBLICATION

**THE STATE OF TEXAS
COUNTY OF TRAVIS**

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

Patsy Ruth Alenik

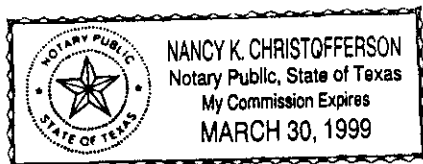
Classified Advertising Agent of the *Austin American-Statesman*, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

Date (s): May 11, 1995
Class: 9480 Lines: 25 Cost: \$56⁰⁰

and that the attached is a true copy of said advertisement.

Patsy Ruth Alenik

SWORN AND SUBSCRIBED TO BEFORE ME, this the 15th day of May 1995.



Nancy K. Christofferson
Notary Public in and for
TRAVIS COUNTY, TEXAS

Nancy K. Christofferson
(Type or Print Name of Notary)

My Commission Expires: 3/30/99